

# MAINE STATE LEGISLATURE

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**LEGISLATIVE RECORD**  
OF THE  
**One Hundred And Seventeenth Legislature**  
OF THE  
**State Of Maine**

**VOLUME VI**

**SECOND REGULAR SESSION**

**House of Representatives**  
January 3, 1996 to April 3, 1996

**Senate**  
January 3, 1996 to March 13, 1996

ONE HUNDRED AND SEVENTEENTH MAINE LEGISLATURE  
SECOND REGULAR SESSION  
12th Legislative Day  
Thursday, February 8, 1996

The House met according to adjournment and was called to order by the Speaker.

Prayer by Reverend Mary Ann Taylor, St. James Episcopal Church, Orono.

Physician for the day, John Garofalo, M.D., Augusta.

The Journal of Tuesday, February 6, 1996 was read and approved.

**SENATE PAPERS**

The following Communication: (H.C. 323)

Maine State Senate  
State House Station 3  
Augusta, Maine 04333

February 6, 1996

The Honorable Dan A. Gwadosky

Speaker of the House

117th Legislature

Augusta, Maine 04333

Dear Speaker Gwadosky:

In accordance with Joint Rule 38, please be advised that the Senate today confirmed the following:

Upon the recommendation of the Joint Standing Committee on Business and Economic Development:

Robert D. Umphrey of Presque Isle for reappointment as a member of the Loring Development Authority,

Elizabeth B. Reuthe of Vassalboro for reappointment as a member of the Loring Development Authority,

Arthur H. Thompson of Limestone for reappointment as a member of the Loring Development Authority,

Roland D. Martin of Caribou for appointment as a member of the Loring Development Authority, and

James F. X. Wellehan of Auburn for appointment as a member of the Finance Authority of Maine.

Sincerely,

S/May M. Ross

Secretary of the Senate

Was read and ordered placed on file.

**Ought to Pass**

Report of the Committee on Education and Cultural Affairs reporting "Ought to Pass" on Bill "An Act to Amend the Laws Regarding the Apportionment of Costs of the Mount Desert Island Regional School District among Member Towns" (S.P. 632) (L.D. 1640)

Came from the Senate with the Report read and accepted and the Bill passed to be engrossed as amended by Senate Amendment "A" (S-422).

Report was read and accepted. The Bill read once. Senate Amendment "A" (S-422) was read by the Clerk and adopted and the Bill assigned for second reading Tuesday, February 13, 1996.

**Divided Report**

Majority Report of the Committee on Labor reporting "Ought to Pass" as amended by Committee Amendment "A" (S-418) on Bill "An Act Concerning Preference to Maine Workers and Contractors" (S.P. 341) (L.D. 946)

Signed:

Senators:

BEGLEY of Lincoln  
MILLS of Somerset  
RAND of Cumberland  
HATCH of Skowhegan  
CHASE of China  
LEMAIRE of Lewiston  
PENDLETON of Scarborough  
SAMSON of Jay  
TUTTLE of Sanford

Representatives:

Minority Report of the same Committee reporting "Ought to Pass" as amended by Committee Amendment "B" (S-419) on same Bill.

Signed:

Representatives:

JOY of Crystal  
JOYCE of Biddeford  
WINSOR of Norway  
STEDMAN of Hartland

Came from the Senate with the Majority "Ought to Pass" as amended by Committee Amendment "A" (S-418) Report read and accepted and the Bill passed to be engrossed as amended by Committee Amendment "A" (S-418).

Was read.

Representative HATCH of Skowhegan moved that the House accept the Majority "Ought to Pass" as amended Report.

On further motion of the same Representative, tabled pending her motion to accept the Majority "Ought to Pass" as amended Report and specially assigned for Tuesday, February 13, 1996.

**Divided Report**

Majority Report of the Committee on Labor reporting "Ought to Pass" as amended by Committee Amendment "A" (S-420) on Resolve, to Create an Advisory Committee to Assist in the Funding of State Employee Workers' Compensation Claims (S.P. 379) (L.D. 1056)

Signed:

Senators:

BEGLEY of Lincoln  
MILLS of Somerset  
RAND of Cumberland  
HATCH of Skowhegan  
CHASE of China  
JOY of Crystal  
JOYCE of Biddeford  
LEMAIRE of Lewiston  
SAMSON of Jay  
STEDMAN of Hartland  
TUTTLE of Sanford  
WINSOR of Norway

Representatives:

Minority Report of the same Committee reporting "Ought Not to Pass" on same Resolve.

Signed:

Representative:

PENDLETON of Scarborough  
Came from the Senate with the Majority "Ought to Pass" as amended Report read and accepted and the Resolve passed to be engrossed as amended by Committee Amendment "A" (S-420).

Was read.

Representative HATCH of Skowhegan moved that the House accept the Majority "Ought to Pass" as amended Report.

On further motion of the same Representative, tabled pending her motion to accept the Majority "Ought to Pass" as amended Report and specially assigned for Tuesday, February 13, 1996.

**COMMUNICATIONS**

The following Communication: (H.C. 321)  
MAINE STATE LEGISLATURE  
AUGUSTA, MAINE 04333

January 31, 1996

Honorable Dan A. Gwadosky

Speaker of the House

2 State House Station

Augusta, Maine 04333-0002

Dear Speaker Gwadosky:

I am pleased to submit the Final Report of the Task Force on Tax Increment Financing pursuant to Chapter 51, Resolves of 1995. The Task Force worked hard to ensure that the State's tax increment financing laws are designed to maximize the creation and retention of quality jobs throughout the State. We believe that our recommendations accomplish this and we look forward to discussion and debate on these issues in the Legislature.

On behalf of the members of the Task Force, I want to thank you for the opportunity to serve the citizens of Maine in this very important capacity.

Sincerely,

S/G. Steven Rowe, Chair

Task Force on Tax Increment Financing

Was read and with accompanying report ordered placed on file.

The following Communication: (S.P. 690)  
117TH MAINE LEGISLATURE

February 1, 1996

Senator Willis A. Lord

Representative Edward L. Dexter

Chairpersons

Joint Standing Committee on Natural Resources

117th Legislature

Augusta, Maine 04333

Dear Senator Lord and Representative Dexter:

Please be advised that Governor Angus S. King, Jr. has nominated Osmond C. Bonsey of Surry for reappointment as a member of the Board of Environmental Protection.

Pursuant to Title 38, MRSA, Section 341-C, this nomination will require review by the Joint Standing Committee on Natural Resources and confirmation by the Senate.

Sincerely,

S/Jeffrey H. Butland

President of the Senate

S/Dan A. Gwadosky

Speaker of the House

Came from the Senate, read and referred to the Committee on Natural Resources.

Was read and referred to the Committee on Natural Resources in concurrence.

The following Communication: (S.P. 691)  
117TH MAINE LEGISLATURE

February 5, 1996

Senator Mary E. Small

Representative Wendy L. Ault

Chairpersons

Joint Standing Committee on Education and Cultural Affairs

117th Legislature

Augusta, Maine 04333

Dear Senator Small and Representative Ault:

Please be advised that Governor Angus S. King, Jr. has withdrawn his nominations of the following: David S. Loeb of Olympic Valley, California for appointment as a member of the Maine Maritime Academy Board of Trustees.

Denison Gallaudet of Cumberland for appointment as a member of the Maine Technical College System Board of Trustees.

These nominations are currently pending before the Joint Standing Committee on Education and Cultural Affairs.

Sincerely,

S/Jeffrey H. Butland

President of the Senate

S/Dan A. Gwadosky

Speaker of the House

Came from the Senate, read and referred to the Committee on Education and Cultural Affairs.

Was read and referred to the Committee on Education and Cultural Affairs in concurrence.

The following Communication: (H.C. 322)

STATE BOARD OF EDUCATION

STATE HOUSE STATION 23

AUGUSTA, MAINE 04333

TO: Honorable Dan A. Gwadosky

Speaker of the House

Honorable Jeffrey H. Butland

President of the Senate

FROM: S/Marjorie M. Medd, Chair,

State Board of Education

DATE: February 6, 1996

SUBJECT: Task Force on Learning Results Final Report Pursuant to Public Law 1993, Chapter 290, Section 8, the State Board of Education and the Task Force on Learning Results are delighted to submit to the members of the Joint Legislative Committee on Education and Cultural Affairs the Task Force on Learning Results' Final Report. This work truly builds the foundation for educational change and continuous improvement in Maine's schools.

Included in this report are the Learning Results, what Maine students should know and be able to do, and recommendations for legislation the Task Force feels is necessary to implement the Learning Results for all students. These recommendations for legislation lead Maine educators and communities in a new direction as we seek the best educational experiences for all Maine students. We would like to remind the Committee of one of the new directions included in the Task Force on Learning Results' Five Year Plan; a discussion of the achievement of the Learning Results serving as the basis for a certificate of core or initial mastery by 1997.

On January 10, 1996, following review and discussion of the report submitted by members of the Task Force on Learning Results, the State Board of Education voted unanimously to accept the Task Force on Learning Results' Final Report. Statements of support for the Final Report were received from two absentee members.

Was read and with accompanying report referred to the Committee on Education and Cultural Affairs.

The following Communication: (H.C. 324)

117TH MAINE LEGISLATURE

February 7, 1996

Daniel E. Wathen, Chief Justice

Kennebec County Court  
65 Stone Street  
Augusta, Maine 04330

Dear Chief Justice Wathen:

We are pleased to invite you to address a Joint Session of the 117th Maine Legislature on Tuesday, February 13, 1996 at 11:00 a.m. concerning the State of the Judiciary and any other matters that you may care to bring to our attention.

We look forward to seeing you then. Best wishes.

Sincerely,

S/Jeffrey H. Butland                      S/Dan A. Gwadosky  
President of the Senate                      Speaker of the House  
Was read and ordered placed on file.

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The following Communication: (H.C. 325)

**STATE OF MAINE  
SUPREME JUDICIAL COURT  
AUGUSTA, MAINE 04330**

February 7, 1996

The Honorable Jeffrey H. Butland  
President of the Senate  
117th Maine Legislature  
Capitol Building - Third Floor  
Augusta, Maine 04333  
The Honorable Dan A. Gwadosky  
Speaker of the House  
117th Maine Legislature  
Capitol Building - Third Floor  
Augusta, Maine 04333

Dear Mr. President and Mr. Speaker:

I am pleased to accept your gracious invitation to address the Joint Convention of the 117th Maine Legislature. I consider this to be one of the more important events in the court year. My colleagues and I look forward to being in attendance on the 13th.

Sincerely yours,  
S/Daniel E. Wathen  
Chief Justice

Was read and ordered placed on file.

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The following Communication: (H.C. 326)

**STATE OF MAINE  
OFFICE OF THE GOVERNOR  
1 STATE HOUSE STATION  
AUGUSTA, MAINE 04333-0001**

February 7, 1996

The Honorable Dan A. Gwadosky  
Speaker, Maine House of Representatives  
#2 State House Station  
Augusta, Maine 04333  
The Honorable Jeffrey H. Butland  
President, Maine State Senate  
#3 State House Station  
Augusta, Maine 04333

Dear President Butland and Speaker Gwadosky:

This letter is to notify the Legislature that I have accepted and will implement the recommendations of the Productivity Realization Task Force relative to the Office of Substance Abuse, excepting those recommendations requiring legislative approval. In this session, I will be introducing legislation necessary to implement these recommendations.

Implementation of this plan will result in a net savings of \$386,636 and a net reduction of 12 positions over this biennium.

This proposal consolidated divisions, plans for the merger with the Department of Mental Health and

Mental Retardation, out sources the Driver Education Evaluation Program, merges contracting, licensing, RFP, and audit with DHS and DMHMR, and consolidates fiscal and performance contracting, outcome measures, and relies on a data driven system to insure best practice throughout the substance abuse treatment system.

Marlene McMullen-Pelsor, Director of the Office of Substance Abuse, is available to provide additional information requested or to respond to any questions you may have.

As in the past, I look forward to working with the Task Force and the Legislature in our continuing efforts to improve efficiency and productivity in Maine state government.

Sincerely,  
S/Angus S. King, Jr.  
Governor

Was read and with accompanying papers ordered placed on file.

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**PETITIONS, BILLS AND RESOLVES REQUIRING REFERENCE**

The following Bills were received and, upon the recommendation of the Committee on Reference of Bills, were referred to the following Committees, Ordered Printed and Sent up for Concurrence:

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**Business and Economic Development**

Bill "An Act to Revise the Sunrise Review Process for Occupational and Professional Regulation" (H.P. 1287) (L.D. 1767) (Presented by Representative ROWE of Portland) (Cosponsored by Representatives: CAMERON of Rumford, DAVIDSON of Brunswick, LIBBY of Kennebunk, POVICH of Ellsworth, SIROIS of Caribou, Senator: GOLDTHWAIT of Hancock) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26.)

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**Human Resources**

Bill "An Act to Ensure the Proper and Humane Care of Persons Requiring Mental Health Services" (EMERGENCY) (H.P. 1284) (L.D. 1764) (Presented by Representative MITCHELL of Portland) (Cosponsored by Representatives: BRENNAN of Portland, DAVIDSON of Brunswick, DORE of Auburn, ETNIER of Harpswell, FITZPATRICK of Durham, GWADOSKY of Fairfield, JACQUES of Waterville, JOHNSON of South Portland, JOSEPH of Waterville, JOYNER of Hollis, KERR of Old Orchard Beach, LEMAIRE of Lewiston, LOVETT of Scarborough, MADORE of Augusta, MARVIN of Cape Elizabeth, MITCHELL of Vassalboro, SAMSON of Jay, SAXL of Bangor, SAXL of Portland, STEVENS of Orono, THOMPSON of Naples, TOWNSEND of Portland, WINGLASS of Auburn, Senators: ABROMSON of Cumberland, AMERO of Cumberland, BERUBE of Androscoggin, BUSTIN of Kennebec, CAREY of Kennebec, LONGLEY of Waldo, MICHAUD of Penobscot, PARADIS of Aroostook, PINGREE of Knox, RAND of Cumberland, RUHLIN of Penobscot) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 27.)

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**Judiciary**

Bill "An Act to Amend the Standards for Appointing the Guardian of a Minor" (H.P. 1285) (L.D. 1765) (Presented by Representative MITCHELL of

Portland) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26.)

Bill "An Act to Prohibit Stalking" (H.P. 1286) (L.D. 1766) (Presented by Representative SAXL of Portland) (Cosponsored by Representative KILKELLY of Wiscasset and Representatives: ADAMS of Portland, AHEARNE of Madawaska, BENEDIKT of Brunswick, BERRY of Livermore, BIGL of Bucksport, BOUFFARD of Lewiston, BRENNAN of Portland, BUNKER of Kossuth Township, CAMPBELL of Holden, CARR of Hermon, CHARTRAND of Rockland, CHASE of China, CHIZMAR of Lisbon, CLARK of Millinocket, CLUKEY of Houlton, CROSS of Dover-Foxcroft, DAGGETT of Augusta, DAVIDSON of Brunswick, DESMOND of Mapleton, DEXTER of Kingfield, DiPIETRO of South Portland, DONNELLY of Presque Isle, DORE of Auburn, DRISCOLL of Calais, ETNIER of Harpswell, FISHER of Brewer, FITZPATRICK of Durham, GERRY of Auburn, GOOLEY of Farmington, GOULD of Greenville, GREEN of Monmouth, GUERRETTE of Pittston, GWADOSKY of Fairfield, HATCH of Skowhegan, JACQUES of Waterville, JOHNSON of South Portland, JONES of Bar Harbor, JONES of Pittsfield, JOSEPH of Waterville, JOYNER of Hollis, KERR of Old Orchard Beach, KONTOS of Windham, LAFOUNTAIN of Biddeford, LAYTON of Cherryfield, LEMAIRE of Lewiston, LEMKE of Westbrook, LEMONT of Kittery, LIBBY of Kennebunk, LIBBY of Buxton, LINDAHL of Northport, LOVETT of Scarborough, MARSHALL of Eliot, MARVIN of Cape Elizabeth, MAYO of Bath, McALEVEY of Waterboro, MITCHELL of Vassalboro, MITCHELL of Portland, MORRISON of Bangor, MURPHY of Berwick, NADEAU of Saco, O'NEAL of Limestone, OTT of York, PAUL of Sanford, PEAVEY of Woolwich, PLOWMAN of Hampden, POULIOT of Lewiston, POVICH of Ellsworth, REED of Falmouth, REED of Dexter, RICHARDSON of Portland, ROWE of Portland, SAMSON of Jay, SAVAGE of Union, SAXL of Bangor, SHIAH of Bowdoinham, SIMONEAU of Thomaston, SIROIS of Caribou, STEDMAN of Hartland, STEVENS of Orono, STONE of Bangor, TAYLOR of Cumberland, TOWNSEND of Portland, TREAT of Gardiner, TRIPP of Topsham, TRUE of Fryeburg, TUFTS of Stockton Springs, TUTTLE of Sanford, VOLENIK of Sedgwick, WATERHOUSE of Bridgton, WATSON of Farmingdale, WHEELER of Bridgewater, WINGLASS of Auburn, WINN of Glenburn, Senators: ABROMSON of Cumberland, AMERO of Cumberland, BERUBE of Androscoggin, BUTLAND of Cumberland, CARPENTER of York, CIANCHETTE of Somerset, FAIRCLOTH of Penobscot, FERGUSON of Oxford, GOLDTHWAIT of Hancock, HARRIMAN of Cumberland, KIEFFER of Aroostook, LONGLEY of Waldo, LORD of York, MICHAUD of Penobscot, O'DEA of Penobscot, PARADIS of Aroostook, PENDEXTER of Cumberland, PINGREE of Knox, RAND of Cumberland, RUHLIN of Penobscot, SMALL of Sagadahoc) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26.)

Reference to the Committee on Judiciary suggested.

On motion of Representative TREAT of Gardiner, the Bill was referred to the Committee on Criminal Justice, ordered printed and sent up for concurrence.

#### Marine Resources

Bill "An Act to Require a Municipality to Issue the Same Number of Nonresident Recreational Shellfish Licenses as Resident Licenses" (H.P. 1282) (L.D. 1763) (Presented by Representative GREENLAW of Standish) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 27.)

#### Study Report - Committee on Utilities and Energy

Representative KONTOS from the Committee on Utilities and Energy to which was referred by the Legislative Council the Study Relative to Issues Related to Water District Charters has had the same under consideration and asks leave to submit its findings and to report that the accompanying Bill "An Act to Standardize the Creation of Water Districts" (H.P. 1288) (L.D. 1768) be referred to the Joint Standing Committee on Utilities and Energy for Public Hearing and printed pursuant to Joint Rule 19.

Report was read and accepted, and the Bill referred to the Committee on Utilities and Energy, ordered printed and sent up for concurrence.

#### ORDERS

On motion of Representative WHEELER of Bridgewater, the following Joint Resolution: (H.P. 1283) (Cosponsored by Senator KIEFFER of Aroostook and Representatives: AHEARNE of Madawaska, CAMPBELL of Holden, CLARK of Millinocket, CLUKEY of Houlton, CROSS of Dover-Foxcroft, DESMOND of Mapleton, DONNELLY of Presque Isle, JACQUES of Waterville, JOY of Crystal, KNEELAND of Easton, LAYTON of Cherryfield, MARTIN of Eagle Lake, McELROY of Unity, O'NEAL of Limestone, REED of Dexter, ROBICHAUD of Caribou, SIROIS of Caribou, WHITCOMB of Waldo, Senators: CASSIDY of Washington, CIANCHETTE of Somerset, MICHAUD of Penobscot, PARADIS of Aroostook) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 35)

JOINT RESOLUTION MEMORIALIZING THE MEMBERS OF THE MAINE CONGRESSIONAL DELEGATION TO INSIST THAT THE UNITED STATES SECRETARY OF AGRICULTURE MAINTAIN AND INTENSIFY INSPECTIONS OF CANADIAN POTATO SHIPMENTS ALONG MAINE'S BORDER AND DETERMINE THE EXISTENCE OF UNFAIR TRADE PRACTICES BY THE CANADIAN GOVERNMENT

WE, your Memorialists, the Members of the One Hundred Seventeenth Legislature of the State of Maine, now assembled in the Second Regular Session, most respectfully present and petition the Members of the Maine Delegation to the Congress of the United States, as follows:

WHEREAS, in response to complaints by Maine potato growers, the Federal-State Inspection Service recently began inspecting Canadian potatoes being imported into Maine; and

WHEREAS, in the course of these inspections, approximately 18% of the potatoes inspected were found to be "suspect" because they were mislabeled or did not meet grading requirements; and

WHEREAS, while Maine potato crops are at their lowest levels since 1922 due to drought, Canadian crops are at their highest; and

WHEREAS, this disparity in crop size between the 2 countries, when combined with possible subsidization of the potato industry by the Canadian Government, has led to a severe underselling of Maine potatoes, which has been exacerbated by the favorable exchange rate on the U.S. dollar received by Canadian farmers; and

WHEREAS, import restrictions on potatoes and other trade practices by the Canadian Government place an unfair burden on U.S. farmers, since the same restrictions are not placed on the import of Canadian potatoes by the U.S. Government; and

WHEREAS, these conditions, if not dealt with in a timely manner, could have disastrous effects on Maine

potato farmers who are at risk of not being able to ship their potatoes, thus defaulting on their debts and losing their farms; now, therefore, be it

**RESOLVED:** That We, your Memorialists, respectfully urge and request that the Maine Delegation to the United States Congress insist that the U.S. Secretary of Agriculture continue and intensify the inspections of Canadian potatoes being imported into the United States along Maine borders; and be it further

**RESOLVED:** That We, your Memorialists, respectfully request that the Maine Delegation to the United States Congress insist that the U.S. Secretary of Agriculture and the U.S. Trade Representative intensify their investigations of import restrictions, subsidies and unfair trade practices by the Canadian Government; and be it further

**RESOLVED:** That We, your Memorialists, respectfully request that, if the investigation reveals unfair trade practices, the U.S. Trade Representative take appropriate action under the General Agreement on Tariffs and Trade to allow Maine farmers to compete with Canadian farmers on a fair and equal basis; and be it further

**RESOLVED:** That suitable copies of this Memorial, duly authenticated by the Secretary of State, be transmitted to each Member of the Maine Congressional Delegation.

Was read and adopted and sent up for concurrence.

On motion of Representative HICHBORN of Lagrange, the following Order: (H.O. 41)

**ORDERED,** that Representative Richard H. Campbell of Holden be excused January 18 for personal reasons.

**AND BE IT FURTHER ORDERED,** that Representative Albert P. Gamache of Lewiston be excused January 25 to February 1 for personal reasons.

**AND BE IT FURTHER ORDERED,** that Representative Charles H. Heino of Boothbay be excused February 1 for personal reasons.

**AND BE IT FURTHER ORDERED,** that Representative Sharon Anglin Treat of Gardiner be excused February 1 for health reasons.

Was read and passed.

#### REPORTS OF COMMITTEES

##### Ought to Pass as Amended

Representative VIGUE from the Committee on Banking and Insurance on Bill "An Act to Repeal an Insurance Law Relating to Motor Vehicle Damage Appraisal" (H.P. 1207) (L.D. 1657) reporting "Ought to Pass" as amended by Committee Amendment "A" (H-693)

Report was read and accepted. The Bill read once. Committee Amendment "A" (H-693) was read by the Clerk and adopted and the Bill assigned for second reading Tuesday, February 13, 1996.

##### Divided Report

Majority Report of the Committee on Banking and Insurance reporting "Ought to Pass" as amended by Committee Amendment "B" (H-689) on Bill "An Act to Encourage Job Creation by Exempting Small Businesses from the Current Workers' Compensation System" (H.P. 664) (L.D. 887)

Signed:

Senators: ABROMSON of Cumberland  
McCORMICK of Kennebec

Representatives:

SMALL of Sagadahoc  
SAXL of Portland  
MAYO of Bath  
JONES of Pittsfield  
VIGUE of Winslow  
CAMPBELL of Holden  
CHASE of China  
GUERRETTE of Pittston  
LUMBRA of Bangor

Minority Report of the same Committee reporting "Ought Not to Pass" on same Bill.

Signed:

Representative: GATES of Rockport  
Was read.

On motion of Representative VIGUE of Winslow, the Majority "Ought to Pass" as amended Report was accepted.

The Bill was read once. Committee Amendment "B" (H-689) was read by the Clerk and adopted. The Bill was assigned for second reading Tuesday, February 13, 1996.

#### CONSENT CALENDAR

##### First Day

In accordance with House Rule 49, the following items appeared on the Consent Calendar for the First Day:

(S.P. 619) (L.D. 1624) Bill "An Act to Update and Clarify the Corporate Laws" Committee on Judiciary reporting "Ought to Pass" as amended by Committee Amendment "A" (S-417)

(H.P. 1228) (L.D. 1681) Bill "An Act Pertaining to the Northern New England Passenger Rail Authority" Committee on Transportation reporting "Ought to Pass"

(H.P. 1235) (L.D. 1695) Bill "An Act to Amend the Laws Regarding Drag Limits in South Bay" Committee on Marine Resources reporting "Ought to Pass"

(H.P. 1168) (L.D. 1600) Bill "An Act to Amend the Charter of Milbridge Water District" Committee on Utilities and Energy reporting "Ought to Pass" as amended by Committee Amendment "A" (H-690)

(H.P. 1170) (L.D. 1602) Bill "An Act to Amend the Bowdoinham Water District Charter to Remove the Debt Limit" (EMERGENCY) Committee on Utilities and Energy reporting "Ought to Pass" as amended by Committee Amendment "A" (H-691)

(H.P. 1173) (L.D. 1605) Bill "An Act to Amend the Charter of the East Pittston Water District" Committee on Utilities and Energy reporting "Ought to Pass" as amended by Committee Amendment "A" (H-692)

(H.P. 1206) (L.D. 1656) Bill "An Act to Provide for Confidential Treatment of State and Federal Regulatory Information in the Application Process for Financial Institutions" Committee on Banking and Insurance reporting "Ought to Pass" as amended by Committee Amendment "A" (H-694)

There being no objections, the above items were ordered to appear on the Consent Calendar of Tuesday, February 13, 1996 under the listing of Second Day.

#### CONSENT CALENDAR

##### Second Day

In accordance with House Rule 49, the following item appeared on the Consent Calendar for the Second Day:

(H.P. 1193) (L.D. 1637) Bill "An Act to Establish the Administrative Operating Budget for the Maine

State Retirement System for the Fiscal Year Ending June 30, 1997" (EMERGENCY)

No objections having been noted at the end of the Second Legislative Day, the House Paper was Passed to be Engrossed and sent up for concurrence.

**BILLS IN THE SECOND READING**  
**As Amended**

Bill "An Act to Clarify the Laws Regarding the Issuance of a Credit Card to Benefit the Land for Maine's Future Fund" (EMERGENCY) (H.P. 1213) (L.D. 1663) (Governor's Bill) (C. "A" H-688)

Was reported by the Committee on Bills in the Second Reading, read the second time, the House Paper was Passed to be Engrossed as Amended and sent up for concurrence.

**ENACTORS**

**Emergency Measure**

An Act to Amend the Overtime Laws as They Pertain to Bonuses (H.P. 1174) (L.D. 1606)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. This being an emergency measure, a two-thirds vote of all the members elected to the House being necessary, a total was taken. 133 voted in favor of the same and 0 against and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

**Emergency Measure**

An Act to Restore the Safety Defense to the Maine Human Rights Act (S.P. 620) (L.D. 1625)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. This being an emergency measure, a two-thirds vote of all the members elected to the House being necessary, a total was taken. 113 voted in favor of the same and 0 against and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

An Act to Promote Parity Between State and Federally Chartered Credit Unions (H.P. 1184) (L.D. 1622) (C. "A" H-683)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed, passed to be enacted, signed by the Speaker and sent to the Senate.

By unanimous consent, all matters having been acted upon were ordered sent forthwith.

The following items were taken up out of order by unanimous consent:

**SENATE PAPERS**

The following Joint Order: (S.P. 693)

**ORDERED**, the House concurring, that when the House and Senate adjourn, they do so until Tuesday, February 13, 1996, at 10:00 o'clock in the morning.

Came from the Senate, read and passed.

Was read and passed in concurrence.

On motion of Representative GWADOSKY of Fairfield, the House recessed until 11:30 a.m.

(After Recess)

The House was called to order by the Speaker.

The following items were taken up out of order by unanimous consent:

**SENATE PAPERS**

Bill "An Act to Further Streamline Licensing Procedures at the Bureau of Insurance" (S.P. 692) (L.D. 1762)

Came from the Senate, referred to the Committee on Banking and Insurance and Ordered Printed.

Was referred to the Committee on Banking and Insurance in concurrence.

Bill "An Act to Provide a Statute of Limitations for the Assessment of Tax for Which a Return Has Not Been Filed" (S.P. 695) (L.D. 1769)

Came from the Senate, referred to the Committee on Taxation and Ordered Printed.

Was referred to the Committee on Taxation in concurrence.

The following Joint Resolution: (S.P. 694)

**JOINT RESOLUTION HONORING**

**ROBERT E. MCAFEE, M.D.**

**WHEREAS**, Robert E. McAfee, M.D., of Portland, Maine, a graduate of Deering High School, Bates College and Tufts University School of Medicine, recently served as President of the American Medical Association; and

**WHEREAS**, Dr. McAfee in June of 1996 will complete 12 years of service on the Board of Trustees of the American Medical Association and 23 years of service representing Maine physicians in the American Medical Association; and

**WHEREAS**, during the past 35 years, Dr. McAfee has served the citizens of Maine in several capacities, holding a gubernatorial appointment to a state board or commission continuously since 1962 through the administration of 6 Governors; and

**WHEREAS**, Dr. McAfee has earned a worldwide reputation as an advocate against domestic violence and as an activist in favor of tobacco control; now, therefore, be it

**RESOLVED**: That We, the Members of the One Hundred and Seventeenth Legislature now assembled in the Second Regular Session, formally express our sincere thanks to Robert E. McAfee, M.D., for his many years of dedicated service to his patients and to the citizens of Maine and the nation; and be it further

**RESOLVED**: That a suitable copy of this resolution, duly authenticated by the Secretary of State, be presented to Robert E. McAfee, M.D., with our deep appreciation.

Comes from the Senate, read and adopted.

Was read and adopted in concurrence.

On motion of Representative Richard of Madison the House adjourned at 11:40 a.m., pursuant to the Joint Order (S.P. 693).